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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/694,627         | 10/27/2003             | Paul R. Borgmeier     | 1258-6172US            |

24247  
TRASK BRITT  
P.O. BOX 2550  
SALT LAKE CITY, UT 84110

RECEIVED

AUG 16 2004

TRASKBRITT, P.C.

CONFIRMATION NO. 2621

FORMALITIES LETTER



\*OC000000013499946\*

Date Mailed: 08/11/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/19/2004 EAREGAY1 00000046 10694627

FILED UNDER 37 CFR 1.53(b)

|            |           |
|------------|-----------|
| 01 FC:1001 | 790.00 00 |
| 02 FC:1051 | 130.00 00 |
| 03 FC:1201 | 264.00 00 |
| 04 FC:1202 | 576.00 00 |

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$417** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$867** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$417**

- \$129 for 3 independent claims over 3.
- \$288 for 32 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*

RASANTA

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Criddle et al.

**Serial No.:** 10/694,627

**Filed:** October 27, 2003

**For:** APPARATUS FOR  
NONINVASIVELY MEASURING  
HEMATOCRIT AND ASSOCIATED  
METHODS

**Confirmation No.:** 2621

**Examiner:** Unknown

**Group Art Unit:** 3764

**Attorney Docket No.:** 1258.01-6172US

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 11, 2004  
Date

*Rachael M. Harris*  
Signature

Rachael M. Harris  
Name (Type/Print)

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

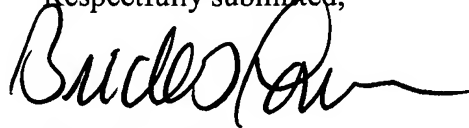
In connection with the above-referenced patent application, enclosed please find a copy of the Notice to File Missing Parts of Nonprovisional Application and Check No. 6763 in the amount of \$1760.00 for the surcharge, along with Declaration and Power of Attorney.

**Serial No.: 10/694,627**

A check in the amount of \$1760.00 is enclosed in payment of all required fees. If the amount of the check is insufficient, please debit TraskBritt Deposit Account No. 20-1469 for the remainder of the fee. If the amount is in excess of that required, please credit that deposit account.

This document is being filed within two (2) months from the mailing date of the Notice to File Missing Parts.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brick G. Power", with a long horizontal flourish extending to the right.

Brick G. Power  
Registration No. 38,581  
Attorney for Applicant(s)  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: October 11, 2004  
BGP/rmh

Enclosures: Copy of Notice to File Missing Parts of Application  
Check No. 6763 in the amount of \$1760.00  
Declaration and Power of Attorney

Document in ProLaw